

US Supreme Court clears way for execution of Oklahoma death row prisoner Bigler Stouffer

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On Thursday morning, the state of Oklahoma executed Bigler Jobe Stouffer II, 79, the oldest inmate in the state's history to be put to death. He was the second oldest US inmate to be executed since the US Supreme Court reinstated the death penalty in 1976. The way was cleared for Stouffer's lethal injection after the nation's high court denied his last request for a stay at about 8 a.m. Thursday.

Stouffer was convicted in 1985 of killing of Putnam City elementary schoolteacher Linda Reaves, 34, that same year. He was granted a new trial in 2000 after a federal appeals court agreed that his defense attorneys had been inept. He was convicted again in 2003 but did not exhaust his appeals until 2017.

Stouffer was pronounced dead at 10:16 a.m. by Oklahoma State Prison officials. He maintained his innocence until the end, but said that he preferred to be put to death rather than spend the rest of his life behind the cement walls of prison.

In November, the Oklahoma Board of Pardons and Parole recommended clemency for Stouffer due to concern over the state's execution protocol. On November 3, however, Governor Kevin Stitt, a Republican, denied clemency for Stouffer and on November 6 the 10th Circuit Court of Appeals denied his request for a delay of execution.

Stouffer was the second inmate executed by Oklahoma after a six-year hiatus following two lethal injection procedures that had gone horribly wrong. On April 29, 2014, Clayton Lockett writhed and groaned on the execution gurney as Oklahoma utilized midazolam for the first time in an execution. Lockett's lawyer reported that "his whole upper body was lifting off the table." It took 43 minutes for Lockett to die.

The execution of Charles Warner was originally scheduled for the same day as Lockett's. Warner's

execution was postponed and eventually carried out on January 15, 2015. A witness to his execution said that once midazolam was injected, Warner called out, "My body is on fire. No one should go through this."

The Supreme Court ruled 5-4 in June 2015 in *Glossip v. Gross* that midazolam could be used in executions. Oklahoma's lethal injection protocol includes three drugs: midazolam, a sedative, vecuronium bromide, a paralytic, and potassium chloride, which stops the heart.

Death row prisoner John Marion Grant, the first person executed in Oklahoma since 2015, met his death under this lethal injection protocol on October 28. Dan Snyder, an anchor at the local Fox 25 TV channel, witnessed Grant's execution and commented, "Almost immediately after the drug was administered, Grant began convulsing, so much so that his entire upper back repeatedly lifted off the gurney. As the convulsions continued, Grant then began to vomit. Multiple times over the course of the next few minutes medical staff entered the death chamber to wipe away and remove vomit from the still-breathing Grant."

Corrections spokesman Justin Wolf claimed that Grant's execution "was carried out in accordance Department of Correction's protocols and without complication." There have been no reports so far that Stouffer suffered a similar fate as he was being injected with the toxic cocktail of drugs, with an anesthesiologist hired by the state describing the execution as "fast and smooth."

After Lockett's execution in 2014, Oklahoma reportedly spent \$106,042 to revamp its death chamber. The media was given a tour of the execution chamber and was provided an itemized balance sheet listing all the expenses that had gone into supposedly making the state-of-the art killing machine as humane and civilized

as possible.

The *Guardian* reported that the 144 entries on this balance sheet included almost \$2,000 spent on four brown leather restraints. A “surgical table,” commonly referred to as a gurney, carried a price tag of \$12,500. The new gurney replaced the last one, purchased in the 1950s, that was used in at least 111 state killings.

Scott Cross, a department of corrections administrator who conducted the tour in autumn 2014, enthused to the *Guardian* about the new death bed’s capabilities, “This is an electric bed which has the ability to raise or lower to accommodate the needs not only of witnesses in the viewing areas but any needs as far as the offender is concerned.” Cross failed to mention at the time that the number of media witnesses had been cut from 12 to five.

Stouffer’s execution Thursday followed by three weeks the decision by Governor Stitt to grant clemency to death row inmate Julius Jones only hours before he was scheduled to be executed. The case of Jones, who has already spent nearly 20 years in prison, has gained the support of anti-death-penalty activists and numerous celebrities. The governor’s decision, however, commuted Jones’ sentence to life in prison without the possibility of parole, meaning he will spend the rest of his life in jail barring unforeseen developments in his case.

Three more executions are scheduled in Oklahoma next year. As many as 26 more could be scheduled in 2022 if death row inmates lose a challenge to the state’s lethal injection process at a trial in Oklahoma City federal court set to begin February 28. There were 44 prisoners on death row in Oklahoma as of April 1, 2022, according to the Death Penalty Information Center. More than 2,500 condemned prisoners languish on death rows across the US.

Since the Supreme Court reinstated the death penalty in 1976, 1,540 men and women have been sent to their deaths nationwide. Oklahoma has carried out 115 during this time, second only to Texas, with 579. Those sent to their deaths have included those convicted for crimes committed as juveniles and foreign nationals denied their consular rights. The US is one of a handful of nations with advanced economies that continue to carry out executions, despite waning public support for the barbaric practice.



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